

## **2<sup>nd</sup> SUPPLEMENTAL EXAMINER'S AMENDMENT**

This Supplement replaces in its entirety the previous two Examiner's Amendment. The Examiner inadvertently left off the indication of claims 22, 24-27 as approved for cancellation without prejudice. And thereafter, it was realized that claim 23 then depended upon cancelled claim 22, and needed to be amended to depend on claim 21.

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Farhang Amini, Applicant's Representative (Customer # on 61060) on 9/23/10.

### **IN THE CLAIMS**

In claim 21, line 2, after the term drug, the phrase --; wherein the therapeutic active drug is not an amino acid or peptide-- has been inserted.

In claim 21, line 3, the phrase "a peptide comprising" has been deleted and the phrase --the peptide consisting of-- has been inserted.

In claim 23, line 2, the numeral "22" has been deleted, and numeral --21-- inserted.

Claims 22 and 24-27 are cancelled without prejudice.

### **Reasons for Allowance**

The following is an examiner's statement of reasons for allowance:

A composition comprising a prodrug, the prodrug comprising a therapeutic active drug; wherein the therapeutic active drug is not an amino acid or peptide; and the peptide consisting of the sequence GKAFRR (SEQ ID NO: 9) was not found to be reasonably taught or suggested by the prior art of record.

Additionally, the approval of the Terminal Disclaimer over co-pending SN 11/725,135 is acknowledged.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### **Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MAURY AUDET whose telephone number is (571)272-0960. The examiner can normally be reached on M-Th, 7AM-5:30PM (10 Hrs.).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Cecilia Tsang can be reached on 571-272-0562. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MA, 12/27/2010

/Maury Audet/  
Primary Examiner, Art Unit 1654